

COUNTY COUNCIL  
OF  
HARFORD COUNTY, MARYLAND

BILL NO. 92-13

Introduced by Council Member Wagner

Legislative Day No. 92-4 Date February 4, 1992

**AN ACT** to repeal and reenact, without amendment, the definition of "local bidder," of Section 41-3, Definitions, to add the definition of "preference" to Section 41-3, Definitions, of Article I, General Provisions, and to add Section 41-20.2, Reciprocal Preference for Local Bidders, to Article III, Purchase Orders and Contracts, of Chapter 41, Procurement, all of the Harford County Code, as amended; to establish certain preferences for local bidders in the county's purchase of supplies and contractual services, under certain conditions; to define certain terms; and generally relating to procurement.

By the Council, February 4, 1992

Introduced, read first time, ordered posted and public hearing scheduled

on: March 3, 1992

at: 7:00 PM

By Order: Doris Poulsen, Secretary

**PUBLIC HEARING**

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on March 3, 1992, and concluded on, March 3, 1992

Doris Poulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

1 Section 1. Be It Enacted By The County Council of Harford  
2 County, Maryland, That the definition of "local bidder," of Section  
3 41-3, Definitions, of Article I, General Provisions, be, and it is  
4 hereby, repealed and reenacted without amendment, that the  
5 definition of "preference" be, and it is hereby, added to Section  
6 41-3, Definitions, of Article I, General Provisions, and that new  
7 Section 41-20.2, Reciprocal Preference for Local Bidders, be, and  
8 it is hereby, added to Article III, Purchase Orders and Contracts,  
9 all of Chapter 41, Procurement, of the Harford County Code, as  
10 amended, and all to read as follows:

11 Chapter 41. Procurement.

12 Article I. General Provisions.

13 Section 41-3. Definitions.

14 For the purposes of this Chapter, the following words and  
15 phrases shall have the meanings respectively ascribed to them by  
16 this section:

17 Local Bidder - A bidder whose principal place of business is  
18 physically located in the county.

19 PREFERENCE - INCLUDES A PERCENTAGE PREFERENCE, AN EMPLOYEE  
20 RESIDENCY REQUIREMENT, AND ANY OTHER PROVISION THAT FAVORS A  
21 RESIDENT OVER A NONRESIDENT.

22 Article III. Purchase Orders and Contracts.

23 SECTION 41-20.2. RECIPROCAL PREFERENCE FOR LOCAL BIDDERS.

24 A. WHEN SUPPLIES OR CONTRACTURAL SERVICES ARE PURCHASED  
25 THROUGH THE BID PROCESS ESTABLISHED BY THIS CHAPTER, THE COUNTY MAY  
26 GIVE A PREFERENCE TO THE LOCAL BIDDER WHO IS THE LOWEST RESPONSIBLE  
27 LOCAL BIDDER IF:

1 (1) A BIDDER WHOSE PRINCIPAL PLACE OF BUSINESS IS IN  
2 ANOTHER COUNTY OR STATE IS THE LOWEST RESPONSIBLE BIDDER;

3 (2) THE OTHER COUNTY OR STATE GIVES A PREFERENCE TO ITS  
4 LOCAL BIDDERS; AND

5 (3) A PREFERENCE DOES NOT CONFLICT WITH A FEDERAL LAW  
6 OR GRANT AFFECTING THE PURCHASE OF THE SUPPLIES OR CONTRACTURAL  
7 SERVICES.

8 B. A PREFERENCE GIVEN UNDER THIS SECTION SHALL BE IDENTICAL  
9 TO THE PREFERENCE THAT THE OTHER COUNTY OR STATE GIVES TO ITS LOCAL  
10 BIDDERS.

11 Section 2. And Be It Further Enacted, That this Act does not  
12 apply to any purchase for which the notice inviting bids has been  
13 published on or before the effective date of this Act.

14 Section 3. And Be It Further Enacted, that this Act shall take  
15 effect 60 calendar days from the date it becomes law.

16 EFFECTIVE: May 5, 1992

17 The Secretary of the Council does hereby  
18 certify that fifteen (15) copies of this Bill  
19 are immediately available for distribution to  
20 the public and the press.

21 Doris Poulsen, Secretary  
22 *by*

## BY THE COUNCIL

BILL NO. 92-13

Read the third time.

Passed: LSD 92-7 (March 3, 1992)

Failed of Passage: \_\_\_\_\_

By Order

Doris Poulsen, Secretary

Sealed with the County Seal and presented to the County Executive  
for her approval this 4th day of March,  
1992 at 3:00 o'clock P.M.

Doris Poulsen, Secretary

BY THE EXECUTIVE

Lillian M. Rehmann  
COUNTY EXECUTIVE

APPROVED:

Date March 6, 1992

BY THE COUNCIL

This Bill, (No. 92-13), having been approved by the County  
Executive and returned to the Council, becomes law on March 6, 1992.

Doris Poulsen, Secretary

EFFECTIVE DATE: May 5, 1992